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Security Council

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Letter dated 26 May 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my letter dated 11 April 2005 (S/2005/236), by which I forwarded to the Security Council, further to paragraph 1 (c) of article 13 ter of the Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (the "International Tribunal"), the 22 nominations for ad litem judges of the Trial Chambers of that Tribunal which had been received from Member States of the United Nations within the period specified in paragraph 1 (b) of article 13 ter of the Statute as extended by the Security Council in the decision taken at its 5140th meeting.

I also have the honour to refer to Security Council resolution 1597 (2005) of 20 April 2005, by which the Security Council amended article 13 ter of the Tribunal's Statute to allow for the re-election of existing ad litem judges and decided to extend the deadline for nominations of ad litem judges under the amended provision of the Statute for a further 30 days from the date of the adoption of that resolution.

Pursuant to paragraph 1 (c) of article 13 ter of the Statute of the International Tribunal as so amended, I have the honour to forward to the Security Council the 27 nominations for ad litem judges of the Trial Chambers of the International Tribunal which have been received from Member States of the United Nations within the period specified in paragraph (b) of article 13 ter of the Tribunal's Statute, as extended by the Security Council in resolution 1597 (2005). The list of candidates,* in alphabetical order, is annexed to the present letter, together with their curricula vitae, which have been provided in connection with their nominations.

In this connection, I would like to draw the attention of the Security Council to paragraph 1 (c) of article 13 ter of the Statute, which provides in the relevant part as follows: "From the nominations received, the Security Council shall establish a list of not less than 54 candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution".

I would note that the list of 27 candidates is short of the minimum number of 54 which is required by paragraph 1 (c) of article 13 ter of the Statute of the

* Circulated only to the members of the Security Council.

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International Tribunal. I would accordingly suggest that the Security Council extend the deadline for nominations for a further 30 days from the date the Security Council takes a decision on the matter.

If the Security Council were so to extend the deadline, the Secretary-General would notify Member States of the United Nations and non-Member States maintaining permanent observer missions at United Nations Headquarters accordingly.

(*Signed*) Kofi A. **Annan**